

Sex Offender Registry

Backgrounder

I. Sex Offenders Registration Act Overview

The Michigan Sex Offender Registry (SOR) is a database containing the names, addresses, and listed offense information of all persons in Michigan convicted of certain sexual offenses. The complete SOR is only available for law enforcement purposes.

The SOR was established in 1994 by the Michigan Sex Offenders Registration Act (Public Acts 286, 287, 294 and 355 of 1994). The Act created the SOR database in response to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (42 USC 14071 et seq.) of 1994. This federal act required states to establish specific requirements for persons convicted of certain crimes against minors and those convicted of sexually violent offenses.

The Michigan SOR Act established the Michigan Department of State Police (MSP) as the keeper of the registry and the repository for SOR data. As such, the department works closely with the legislature to ensure any changes made to the Sex Offender Registration Act comply with federal requirements.

In addition, MSP posts, like other law enforcement agencies, serve as locations where sex offenders can verify and/or change their addresses. MSP enforcement personnel also participate in sex offender enforcement initiatives and arrest non-compliant sex offenders.

For a complete summary of SOR legislation, please visit the [MSP Web site](#).

A. Registry Requirements

The SOR Act requires all sex offenders in Michigan to register their address with law enforcement after conviction, prior to sentencing. Offenders remain on the registry for 15 years, 25 years, or life, depending on their tier level. Prison/jail time is not included when calculating the end registration date.

After registering, Tier 1 offenders must report to a law enforcement agency (the city/township police department, county sheriff, or MSP post having jurisdiction over the address where the offender resides) to verify their address during the first 15 days of January of each year. Tier 2 offenders must report to a law enforcement agency (the city/township police department, county sheriff, or MSP post having jurisdiction over the address where the offender resides) to verify their address during the first 15 days of January and July of each year. Tier 3 offenders must report to a law enforcement agency (the city/township police department, county sheriff, or MSP post having jurisdiction over the address

where the offender resides) to verify their address during the first 15 days of January, April, July, and October of each year. Incarcerated offenders are not subject to verification requirements.

The penalty for failing to verify an address is a misdemeanor. The penalty for failing to sign the registration, notification, or verification form is a misdemeanor. The penalty for failure to pay the registration fee is a misdemeanor. Any other violations carry a graduated penalty ranging from a four year felony to a ten year felony.

B. Michigan Sex Offenders Registration Act Violations

Individuals not in compliance with the SOR Act are offenders who:

- Fail to register
- Fail to change their address when they move or vacate a residence
- Fail to verify their address
- Fail to pay the \$50 one-time registration fee
- Fail to sign a registration, notification, or verification form
- Fail to provide or update campus information
- Fail to provide or update vehicle information
- Fail to provide or update employment information
- Fail to provide name change
- Fail to report email address(es) and/or internet identifiers
- Fail to maintain a valid Michigan driver's license or personal identification card
- Reside, work, or loiter within 1,000 feet of a school

The SOR Act allows an arrest warrant to be authorized by a prosecutor for a non-compliant offender. After a warrant is entered into the Law Enforcement Information Network, the non-compliant offender can be apprehended during a traffic stop or any other contact with law enforcement. In addition, law enforcement agencies conduct periodic sex offender sweeps during which offenders' addresses are confirmed, and non-compliant offenders are actively sought.

Law enforcement relies on the public to help identify non-compliant offenders as well. Citizens are encouraged to contact their local law enforcement agency if they think someone is in violation of the SOR Act.

II. Public Sex Offender Registry

Similar to the SOR, the Public Sex Offender Registry (PSOR) is a database containing the names, addresses, vehicle and employment information, and listed offense information of persons living in Michigan convicted of certain sexual offenses after Oct. 1, 1995, or under the supervision of the Michigan Department of Corrections for a listed

offense on Oct. 1, 1995. When first established in 1996, the PSOR was only accessible to the public by visiting a local law enforcement agency to view a paper copy of the list. In 1999, as a result of Public Act 85, the PSOR became available online at <http://www.mipsor.state.mi.us/>. The current site allows the public to view information on registered sex offenders using searches by approximate age and/or name, zip code, city, and county. Users are also allowed to perform a 1 mile radius search of a designated address in order to locate sex offenders living within one mile of that address.

Under the SOR Act, certain offenders are exempt from being listed on the PSOR, even though they remain on the SOR. These offenders include all offenders registered for a single Tier 1 offense and all juvenile offenders.

In addition, those individuals who are deceased are removed from the PSOR following the submission of a death certificate.

A. Offender Photographs

Public Act 238 of 2004 requires the PSOR to include the photograph of each individual registered under the SOR Act. To fulfill this requirement, PA 238 allows the MSP to obtain photographs from the Michigan Secretary of State. The Michigan State Police must use an arrest photo or Michigan Department of Corrections photo until a photo from the Michigan Secretary of State is available.

III. Sex Offender Registry Statistics

Statistics are updated quarterly following the mandated verification periods.

As of November 1, 2011:

- 39,883 active registered sex offenders are in the SOR database
 - 11,857 offenders are incarcerated
 - 27,816 offenders must verify their address either yearly, semi-annually, or quarterly
- 36,206 offenders appear on the Public Sex Offender Registry

Following the October 2011 verification period:

- 37,244 offenders were in compliance
- 2,639 offenders failed to comply

Note: Statistical comparisons among states are often inaccurate because each state has different requirements for who is required to register and how statistics are reported.

IV. Additional Information and Resources

- National Sex Offender Registry: <http://www.nsopr.gov/>
- Other state Sex Offender Registries: <http://www.fbi.gov/hq/cid/cac/registry.htm>
- The Center for Sex Offender Management: <http://www.csom.org/>